



STATE OF WASHINGTON
WASHINGTON STATE BOARD OF HEALTH
1102 SE Quince Street • PO Box 47990
Olympia, Washington 98504-7990

February 4, 2002

The Honorable Steve Conway, Chair
House Commerce and Labor Committee
John L O'Brien Building
2nd Floor, Room 232-A
Olympia, Washington 98504

Dear Representative Conway:

House Bill 2499, relating to sanitation and infection control in health studios, is scheduled for hearing by your committee this evening. I am writing as chair of the Washington State Board of Health to respectfully raise some concerns about the bill.

HB 2499 would require the Department of Health to develop health and safety standards for "health studios" that have swimming pools, hot tubs, steam rooms, sauna rooms, or shower facilities. Violation of these rules would be a misdemeanor.

Board of Health rules already govern health and safety at water recreation facilities, including any health studios with pools or hot tubs. The statutory authority resides in Chapter 70.90 RCW, and the rules are in Chapter 246-260 WAC. Violation is a misdemeanor punishable by a fine not to exceed five hundred dollars. The regulations cover "auxiliary building and appurtenances," which would include showers. Freestanding steam baths and saunas are exempt.

HB 2499 would create two separate but virtually identical sets of rules governing pools and hot tubs. One set would be promulgated under consumer protection provisions by the Department of Health and would govern health studios. Another set would be promulgated under public health provisions by the Board of Health and would govern everything else.

The Board is not offering an opinion at this time on whether scientific evidence would support additional regulation of steam baths, saunas, and shower facilities when no pool or hot tub is present. In the absence of a large number of illnesses, injuries, or complaints associated with unregulated facilities, only a thorough and potentially costly review of relevant epidemiological data and practices in other states would fully address this question.

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Should the Legislature determine that increased regulation is necessary, I would suggest it consider amending Chapter 70.90 RCW to expand its scope, rather than adding a new safety and infectious disease control section to the consumer protection provisions of Chapter 19.142 RCW. Consolidating like statutes and authority makes for coordinated rulemaking and improved government efficiency.

Sincerely,

Linda Lake, Chair

Washington State Board of Health

cc: Representative Sam Hunt
Members of the House Commerce and Labor Committee
Members of the Washington State Board of Health
Ree Sailors, Governor's Office of Executive Policy
Patty Hayes, Department of Health
Don Sloma, Washington State Board of Health